

IC 4-3-17

Chapter 17. Hoosier Alliance Against Drugs

IC 4-3-17-1

"Board" defined

Sec. 1. As used in this chapter, "board" refers to the board of directors of the corporation.

As added by P.L.16-1989, SEC.1.

IC 4-3-17-2

"Corporation" defined

Sec. 2. As used in this chapter, "corporation" refers to the Hoosier alliance against drugs established under this chapter.

As added by P.L.16-1989, SEC.1.

IC 4-3-17-3

Establishment of corporation; prerequisites

Sec. 3. The governor may request, on behalf of the state, the establishment of a private not-for-profit corporation named the Hoosier alliance against drugs. The corporation may not commence operations or perform the functions listed in section 4 of this chapter until:

- (1) articles of incorporation for the corporation have been filed with, and a certificate of incorporation has been issued by, the secretary of state;
- (2) the corporation has conducted a public hearing for the purpose of giving all interested parties an opportunity to review and comment upon the articles of incorporation, bylaws, and proposed methods of operation of the corporation; and
- (3) the governor has certified to the secretary of state that all requirements set forth in this chapter for the corporation have been satisfied.

Notice of the hearing under subdivision (2) must be given at least fourteen (14) days before the hearing in accordance with IC 5-14-1.5-5(b).

As added by P.L.16-1989, SEC.1.

IC 4-3-17-4

Articles of incorporation or bylaws; merger

Sec. 4. (a) The articles of incorporation or bylaws of the corporation, as appropriate, must provide that:

- (1) the exclusive purpose of the corporation is to provide grants and serve as a resource for education programs on drug and alcohol abuse, by providing assistance to persons or entities involved with:
 - (A) coordinating the activities of all parties having a role in drug and alcohol abuse education and prevention; and
 - (B) educating and assisting local communities in educating Indiana citizens on the problems of drug and alcohol abuse;
- (2) the board must include:

- (A) the governor or the governor's designee;
 - (B) the state health commissioner or the commissioner's designee; and
 - (C) additional persons appointed by the governor, who have knowledge or experience in drug or alcohol education programs;
- (3) the governor shall designate a member of the board to serve as chairman of the board;
 - (4) the board shall select any other officers it considers necessary, such as a vice chairman, treasurer, or secretary;
 - (5) the chairman of the board may appoint any subcommittees that the chairman considers necessary to carry out the duties of the corporation;
 - (6) with the approval of the governor, the corporation may appoint a president, who shall serve as the chief operating officer of the corporation and who may appoint staff or employ consultants to carry out the corporation's duties under this chapter, including personnel to receive or disseminate information that furthers the goals of the corporation;
 - (7) the corporation may receive funds from any source (including state appropriations), may enter into contracts, and may expend funds for any activities necessary, convenient, or expedient to carry out its purposes;
 - (8) any amendments to the articles of incorporation or bylaws of the corporation must be approved by the board;
 - (9) the corporation shall submit an annual report to the governor, lieutenant governor, and chairman of the legislative council before December 31 of each year;
 - (10) the corporation shall conduct an annual public hearing to receive comments from interested parties regarding the annual report, and notice of the hearing shall be given at least fourteen (14) days before the hearing in accordance with IC 5-14-1.5-5(b); and
 - (11) the corporation is subject to an annual audit by the state board of accounts, and the corporation shall bear the full costs of this audit.

An annual report described in subdivision (9) that is submitted to the chairman of the legislative council must be in an electronic format under IC 5-14-6.

(b) The corporation may perform other acts necessary, convenient, or expedient to carry out its purposes under this chapter and has all the rights, powers, and privileges granted to corporations by IC 23-17 and by common law.

(c) With the approval of the governor, the corporation may merge with an entity with similar purposes. If the corporation merges with another entity under this subsection, the governor shall revoke the certification under section 7 of this chapter.

As added by P.L.16-1989, SEC.1. Amended by P.L.12-1990, SEC.1; P.L.179-1991, SEC.5; P.L.23-1995, SEC.1; P.L.28-2004, SEC.21.

IC 4-3-17-5

Duties of corporation

Sec. 5. After being certified by the governor under section 3 of this chapter, the corporation shall do the following:

- (1) Conduct an ongoing analysis of the educational programs being used by communities to alleviate the problem of drug and alcohol abuse.
- (2) Develop, update, and oversee the implementation of a plan to maintain and strengthen communities in educating Indiana citizens of the problems with drug and alcohol abuse.
- (3) Cooperate with individuals and organizations from the private sector in developing, implementing, and promoting drug and alcohol abuse education programs.
- (4) Cooperate with federal, state, and local government agencies in matters concerning the corporation's purposes.
- (5) Advise the governor and lieutenant governor concerning state programs or activities that may affect drug and alcohol education in Indiana.
- (6) Conduct marketing and promotional programs necessary to implement its plans.

As added by P.L.16-1989, SEC.1.

IC 4-3-17-6

Debt of corporation not state liability

Sec. 6. A debt incurred by the corporation under the authority of this chapter does not represent or constitute a debt of the state within the meaning of the Constitution of the State of Indiana or Indiana law.

As added by P.L.16-1989, SEC.1.

IC 4-3-17-7

Duration

Sec. 7. The certification by the governor under section 3 of this chapter remains in effect until:

- (1) the governor revokes the certification in writing and transmits a copy of the revocation to the president of the corporation and to the secretary of state; or
- (2) the general assembly provides by law for termination of the designation.

As added by P.L.16-1989, SEC.1.